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10 Attorneys for Defendants

11 UNITED STATES DISTRICT COURT

12 NORTHERN DISTRICT OF CALIFORNIA

14 CRAIG YATES,

} CASE NO. CV-10-3932-EMC

15 Plaintiff,

STIPULATION AND [PROPOSED]
16 vs. ORDER RE DEFENDANTS' NOTICE OF
17 AUTO CITY 76; R.A.T. OIL, INC., a California
corporation; and CANADIAN AMERICAN OIL
18 COMPANY, a California corporation } MOTION TO DISMISS PLAINTIFF'S
} FIRST AMENDED COMPLAINT FOR
} INJUNCTIVE RELIEF

19 Defendants.

20 Date: January 2, 2014
Time: 1:30 p.m.
Judge: Honorable Edward M. Chen
Location: 450 Golden Gate Avenue
San Francisco, California
Courtroom: C, 15th Floor
Complaint filed: September 1, 2010

22 WHEREAS, on November 12, 2013, the Court issued its "Stipulation and Order on
23 Equitable Issue at Auto City 76" ("Stipulation and Order"), as Document 68, which stated:

25 "Pursuant to the parties stipulation, IT IS SO ORDERED, that the
Equitable Settlement Agreement and Release signed July 18, 2012,
26 resolves all claims for equitable/injunctive relief in the First Amended
Complaint, including the visits in June 2013, relative to all defendants
27 in the above-captioned case."

1 WHEREAS, on November 26, 2013, Defendants AUTO CITY 76, R.A.T. OIL, INC., a
2 California corporation, and CANADIAN AMERICAN OIL COMPANY (hereinafter "Auto
3 City") filed and served Defendants' Notice of Motion and Motion to Dismiss Plaintiff's First
4 Amended Complaint for Injunctive Relief.

5 The parties, by and through their respective counsel, hereby stipulate, based upon the
6 Stipulation and Order, that all claims for equitable/injunctive relief in the First Amended
7 Complaint be dismissed with prejudice.

8 IT IS SO STIPULATED.

9 DATED: November 29, 2013. THOMAS E. FRANKOVICH,
10 *A Professional Law Corporation*

11 By 1st Thomas E. Frankovich

12 Thomas E. Frankovich
13 Attorney for Plaintiff, Craig Yates, an individual

14 DATED: November 27, 2013. LAW OFFICES OF JAMES M. DOMBROSKI

15 By _____
16 James M. Dombroski
17 Attorney for Defendants Auto City 76, R.A.T.
18 Oil, Inc., a California corporation, and Canadian
19 American Oil Company, a California corporation

20
21 ORDER

22 Pursuant to the parties' stipulation, IT IS SO ORDERED that all claims for
23 equitable/injunctive relief in the First Amended Complaint are dismissed with prejudice.

24 DATED: 12/4, 2013

1/2/14
hearing is
vacated.

